

CONSTITUTION AND RULES

OF

THE BULGARIANS' EDUCATIONAL
AND
FRIENDLY SOCIETY INCORPORATED

INCORPORATED

ON

8th SEPTEMBER 1949

THE BULGARIANS' EDUCATIONAL AND FRIENDLY SOCIETY INCORPORATED

CONSTITUTION

1. The name of the Society shall be **“THE BULGARIANS' EDUCATIONAL AND FRIENDLY SOCIETY INCORPORATED”**.
2. The objects of the Society shall be:-
 - 2.1.the advancement of religion according to the rites of Eastern Orthodox Church;
 - 2.2.the advancement of education both religious and secular;
 - 2.3.the fostering and encouragement of social intercourse instruction recreation and amusement among the members of the Bulgarian community of South Australia;
 - 2.4.the fostering and promoting of the Australian way of life among the members of the Bulgarian community in South Australia.
3. For the purpose of these rules “The Bulgarian Community” shall be deemed to include Bulgarian nationals, former nationals, descendants of a Bulgarian or former Bulgarian national, and the husband or wife widower or widow of any such person.
4. Any member of the Bulgarian community in South Australia of not less than 20 years of age shall be eligible for membership.
5. The Society shall consist of ordinary and honorary members.
6. Admission of ordinary members shall be by ballot of the members.
7. Every candidate for admission as an ordinary member shall be proposed by one member and seconded by another member, both of whom shall vouch from their personal knowledge for the eligibility and the fitness of the candidate. The candidate shall be proposed by giving to the Secretary notice in writing setting forth particulars of his name in full, place of residence, occupation and age, with the names of the proposer and seconder in their own respective hand writing. If either proposer or seconder before the day when the candidate comes up for election shall cease to be a member of the Society or shall request the Secretary in writing to withdraw the name of the candidate the proposal shall be deemed to have been withdrawn.
8. The candidate shall come up for election at the next or any special general meeting of the Society.
9. At an election for membership every ordinary member present in person shall be entitled to vote for or against each candidate for admission at such election.
10. The ballot shall take place at the meeting in such manner as the Committee shall from time to time determine. A candidate shall be elected if not less than two thirds of the members present

vote in favour of his election. The decision of the Committee as to whether any candidate has been elected or not shall be final.

11. Immediately upon the election of a new member written notice thereof shall be given to him by the Secretary and he shall be furnished with a copy of the rules of the Society and upon payment of his entrance fee and first subscription he shall become a member of the Society and be entitled to all the benefits and privileges of membership and be bound by these Rules and his name and his address shall be entered upon the Register of Members to be kept by the Secretary. If such entrance fee and subscription be not paid within one (1) month after the posting of the notice of election as aforesaid the election of such new member shall be void.
12. Every member of the Society shall from time to time communicate to the Secretary his address or change of address and be entered by the Secretary in the Register of Members and all notices posted to the member addressed to his last address entered in the Register shall be considered as having been duly given on the day following the date of posting.
13. The entrance fee until the Society in general meeting shall otherwise determine shall be the sum of **FOUR DOLLARS (\$4.00)**. The annual subscription until the Society in general meeting shall otherwise determine shall be the sum of **TWO DOLLARS (\$2.00)**.
14. All annual subscriptions shall be payable to the Treasurer on the 1st day of July in each year.
15. If any member shall fail to pay his annual subscription before the 1st day of August next after it has become due, written notice shall be sent to him by the Secretary calling his attention thereto, and if such subscription shall not be paid within one calendar month after the posting of such notice the member shall cease to be a member of the Society and his name shall be struck off the Register of Members. If at any time he shall give to the Committee a satisfactory explanation, he may, in the discretion of the Committee and upon payment of arrears, be re-admitted to membership without payment of any entrance fee.
16. The Committee may upon the suggestion of any 2 members communicated to it in writing invite as honorary members of the Society for such time as the Committee think fit,
 - 16.1 Any person under the age of 20 years who if over that age would be eligible for membership of the Society.
 - 16.2 Any person, whether a member of the Bulgarian community or not and whether usually resident in South Australia or not, whom the Committee think fit so to invite.
17. An honorary member shall until his invitation shall be withdrawn by the Committee be entitled to all the benefits and privileges of membership except that he shall not be qualified to be a Seal Holder or officer or member of the Committee or to vote as a member or to claim any share of the property of the Society upon its dissolution.
18. Every member shall be allowed to introduce visitors subject to such regulations as shall be made from time to time by the Committee, provided that no person shall be introduced as a visitor who shall have been expelled from membership or whose conduct or presence on the premises shall be considered by the Committee objectionable or prejudicial to the interests of the Society. Every visitor shall be accompanied by the member introducing him.

19. Any member may resign his membership by giving to the Secretary notice in writing to that effect. Every such notice shall be deemed to take effect on the date expressed therein, or if no date be expressed, upon receipt of such notice by the Secretary.
20. If any member shall be convicted of any offence for which he shall be sentenced to imprisonment, or any sequestration order shall be made against him or if he shall make a Deed of Assignment or a composition or arrangement with his creditors under the provisions of the Bankruptcy Acts, he shall thereupon cease to be a member of the Society, but the Committee shall have power in their discretion to reinstate him without any entrance fee.
21. It shall be the duty of the Committee if at any time they shall be of opinion that the interests of the Society so require by letter to invite any member to withdraw from the Society within a time specified in such letter and in default of such withdrawal to submit the question of his expulsion to a special general meeting to be held within six weeks after the date of such letter. Notice of such meeting specifying the complaint against the member and the proposed resolution for his expulsion shall be posted to the member at his address as shown in the Register of Members at least fourteen days before the day of such meeting.
22. At such meeting the member whose expulsion is under consideration shall be invited and allowed to offer an explanation of his conduct verbally or in writing and if thereupon two thirds of the members present shall vote for his expulsion he shall thereupon cease to be a member of the Society. Such vote shall be by ballot.
23. It shall be in the power of the Committee to exclude such member from the benefits and privileges of membership until such special general meeting shall be held.
24. Any former member upon ceasing to be a member of the Society shall forfeit all right to and claim upon the Society and its property and funds.
25. The Management of the Society shall be deputed to a Committee of fifteen members consisting of the President, Vice-President, the Secretary, Assistant Secretary, Treasurer, three auditors and seven other financial members herein referred to as "the Committee". The quorum of the Committee shall be not less than any eight of the total members elected thereto. No member of the Committee shall have a casting vote.
26. The President, the Secretary and the Treasurer shall be elected at the annual general meeting of the Society together with the other members of the Committee and provided they continue to be members of the Society shall each hold office until the election of their respective successors, and shall be eligible for re-election. The only persons eligible to be elected to the aforesaid positions, and the Committee shall be Bulgarian Nationals, former nationals, descendants of a Bulgarian or of former Bulgarian National.
27. The Committee shall have the power to appoint a member to fill any casual vacancy in the Committee occurring by death or resignation from office or by reason of any member of the Committee ceasing during his term of office to be a member of the Society. Any member so appointed shall retire at the next annual general meeting but shall be eligible for election.
28. The Committee shall meet at least once in every month to examine the accounts and arrange the affairs of the Society. Minutes shall be taken of all the proceedings of the Committee and shall be open to the inspection of any member upon application to the Secretary therefore.

29. The Secretary shall conduct the correspondence of the Society and shall have the custody of all documents belonging to the Society and shall be appointed as the public officer of the Society. He shall keep full and correct minutes of all proceedings of the Committee and of all general and special meetings.
30. The Treasurer shall keep the accounts of the Society and shall make up the annual statements of the accounts and balance sheet of the Society. Subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed by the Committee books of accounts of the Society shall be opened to the inspection of members.
31. All money received by the Society shall be forthwith deposited in an account or accounts in the name of the Society in some bank or savings bank in South Australia from time to time specified by the Committee. Moneys may be withdrawn from such account or accounts as required for the purpose of the Society upon the authority of the Committee. All cheques or withdrawal orders shall require to be signed by the President, Secretary and Treasurer.
32. The financial year of the Society shall end on the 30th day of June in each year, to which day the accounts shall be balanced.
33. The auditors shall inspect the books of account of the Society at least three times every year and shall audit the accounts of the Society not less than fourteen days before the annual general meeting and shall certify the result of such audit to the members of annual general meeting.
34. The Seal Holders of the Society shall not exceed six not be less than three in number. The present Seal Holders shall be:
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| Mr Jim Petroff,
Esplanade,
Grange.
Market Gardener. | Mr S.M. Kristoff,
Tapleys Hill Road,
Fulham.
Market Gardener. | Mr L.H. Elieff,
Bolivar.
Market Gardener. |
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35. Any Seal Holder who ceases to be a member of the Society or whom remains out of the State of South Australia for more than twelve months shall ipso facto cease to be a Seal Holder.
36. Any Seal Holder may resign his office by giving one calendar month's notice in writing to the Society.
37. The Committee may from time to time appoint any member of the Society to fill any vacancy in the number of Seal Holders caused by death, resignation or disqualification.
38. Each Seal Holder shall hold office (subject to the provisions of Rules 35 and 36) until removed from office by resolution of a general or special general meeting. Any vacancy in the office of Seal Holder by resolution of such meeting and in default of such last mentioned resolution shall be filled by the Committee.
39. Within one month after any change in the office of Seal Holders the Secretary shall file in the Office of the Registrar of Companies a declaration setting forth the particulars of any such change stating the names of any retiring Seal Holders the names and places of abode of any

incoming Seal Holder and stating that the said incoming Seal Holders are persons duly authorised to act as Seal Holders of the Society.

40. The Seal Holders shall have the custody of the common seal of the Society, and shall affix the same to all such deeds and documents as may be required in pursuance of any resolution of the Committee.
41. The Committee shall as soon as practicable purchase in the name of the Society such piece of land with or without buildings erected thereon as shall in the opinion of the Committee be suitable for the purposes of the Society and erect thereon such building or buildings as may in the opinion of the Committee be suitable for such purposes or from time to time alter, adapt, add to, take down, and rebuild any existing buildings as may in the opinion of the Committee be required to render the same suitable for such purposes and shall furnish decorate fit up repair and maintain the said buildings and furnishings so as to be fit for occupation and use for such purposes.
42. The Committee shall out of the moneys of the Society pay all costs and expenses of or incidental to the matters mentioned in Clause 41 hereof and in paying and discharging any loans interest rates taxes insurance and the costs and expenses for repairs maintenance and protection of the property of the Society and all other costs and expenses which the Committee may think it necessary or desirable to incur for furthering the objects of the Society.
43. The Committee shall allow the premises of the Society to be used in such manner as they may consider desirable for the objects of the Society but shall not permit any premises of the Society to be used for the purposes of any organised political party, nor for political speeches or discussion nor for any purpose or function which may involve a breach of the Licensing Acts or the Lottery and Gaming Acts in force for the time being in South Australia.
44. The annual general meeting of the Society shall be held in the month of July in every year upon a date and at a time to be fixed by the Committee for the following purposes:-
 - 44.1 To receive from the Committee a report balance sheet and statement of account for the preceding financial year.
 - 44.2 To fill any vacancy in the Committee and to appoint auditors for the ensuing year.
 - 44.3 To decide on any resolution which may be duly submitted under these rules for the election of candidates.
 - 44.4 To remove any Seal Holder from office and to fill any vacancy caused thereby.
 - 44.5 To decide on any resolution which may be duly submitted to the meeting as hereinafter provided.
 - 44.6 For the election of new members under these rules any member desirous of moving any resolution at the annual general meeting shall give notice thereof in writing to the Secretary not less than twenty-eight days before the date of such meeting.

45. A special general meeting may be convened at any time by the Committee, and shall be convened within twenty-one days after the receipt of a requisition in writing signed by not less than ten members specifying the object of the meeting for any of the following purposes:-
- 45.1 to consider and if approved sanction any duly made alteration of the Rules;
 - 45.2 to deal with any special matter which the Committee may desire to place before the members including the expulsion of a member under these Rules;
 - 45.3 to receive the resignation of the Committee or to remove any member or members thereof or any Seal Holder from office and to fill any vacancy or vacancies caused thereby.
 - 45.4 To deal with any special matter which the members requiring the meeting may desire to place before the Society;
 - 45.5 The election of new members under these Rules.
46. Fourteen days at least before the annual general meeting or any special general meeting a notice of such meeting and of the business to be transacted thereat shall be posted to every member at his address shown in the Register of Members and no business other than that of which notice has been so given shall be brought forward at such meeting. The report balance sheet and statement of accounts shall be made available by the Secretary for perusal by any member desiring the same during the period of fourteen days preceding the date for which the annual general meeting is called.
47. At all general and special general meetings of the Society the President and in his absence the Vice-President and in his absence some member selected by the Committee shall take the chair. Every ordinary member present shall be entitled to one vote upon every motion and in case of an equality of votes the chairman shall have a second or casting vote.
48. At all general and special meetings not less than one third of the total number of financial members on the Register of Members at the time of such meeting shall constitute a quorum and if within one hour from the time appointed for the meeting a quorum is not present the meeting shall be adjourned not less than three (3) weeks thereafter or no later than one (1) month thereafter at a time and place appointed by the Committee provided seven (7) days notice thereof shall be given to all financial members and those present shall form a quorum for all purposes, excluding paragraphs 51 and 53.
49. If at any time the Society in general or special meeting shall pass a resolution authorising the Committee to borrow money for the purpose of the Society the Committee shall thereupon be empowered to borrow such amount of money either at one time or from time to time and at such rates of interest and in such form or manner and upon such security as shall be specified in such resolution, and thereupon such debentures bonds mortgages securities dispositions and agreements shall be entered into and sealed in relation to the property of the Society or any part thereof as the Committee may deem proper for giving security for such loans interests and charges. All members of the Society whether voting on such resolution or not and all persons becoming members of the Society after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

50. The Committee may for the purpose of borrowing money in pursuance of any such resolution if so authorised by the terms thereof invite members of the Society to lend to the Society the whole or part of the moneys so authorised to be borrowed, provided that the Committee shall not unless otherwise expressly authorised by any such resolution accept from any one member the loan of any sum which would increase the total outstanding loan indebtedness of the Society to that member to more than **TWO HUNDRED DOLLARS (\$200.00)**. The Committee may accept from any member or other person firm company or association donations for the objects of the Society.
51. These rules may be added to repealed or amended by resolutions (of which due notice shall have been given), at any special or general meeting provided that no such resolution shall be deemed to have been passed unless it be carried by a majority of at least two thirds of the total number of ordinary members entitled to be present and vote, excluding paragraph 53.
52. The Secretary shall within one month after the making of any addition or alteration to the rules or regulations of the Society or of any trusts relating thereto file in the office of the Registrar of Companies a copy of every addition or alteration verified by the declaration of one of the Seal Holders.
53. If at any general meeting a resolution for the dissolution of the Society shall be passed by a majority of the ordinary members present and such resolution shall at a special general meeting held not less than one (1) month thereafter or no later than three (3) months thereafter shall be confirmed by a resolution passed by an absolute majority of all the ordinary registered financial members whether present or not and if unable to attend voting by proxy granted to another ordinary member in a recognised form of written proxy, the Committee shall thereupon or at such future date as shall be specified in such resolution proceed to realise the property of the Society and after the discharge of all liabilities (including all loan indebtedness to members) dispose of the net balance within the manner directed by the said resolution of dissolution of the Society and in default of any such direction or so far as any such direction shall fail to be effective shall be divided equally amongst the persons who at the time of the confirmation of the said resolution were ordinary financial members of the Society.

This Rule shall not be altered, repealed or amended at any general or special meeting unless such resolution shall be carried by an absolute majority of all the registered financial members entitled to vote whether present or not.

54. To the interpretation of these rules words importing the masculine gender shall include the feminine, and the singular shall include the plural.